UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

GUIDELINES FOR PHOTOGRAPHING, RECORDING, AND BROADCASTING IN THE COURTROOM

1. General Provisions

(a) Coverage of proceedings in open Court is permissible only in accordance with these guidelines.

(b) A three business day advance notice is required from the media of a request to be present to broadcast, televise, record electronically, or take photographs at a particular session. Such requests must be submitted to the Clerk of Court using the form attached to these guidelines. The panel may waive the three business day requirement under appropriate circumstances.

(c) Upon receipt of a media request, the Clerk of Court will notify the panel and counsel of record of such request. The panel will retain the authority, in its sole discretion, to prohibit camera coverage of any proceeding.

(d) The presiding judge of the panel may limit or terminate media coverage, or direct the removal of camera coverage personnel when necessary to protect the rights of the parties or to assure the orderly conduct of the proceedings.

(e) No direct public expense is to be incurred for equipment, wiring, or personnel needed to provide media coverage.

(f) These guidelines take effect June 21, 1996.

2. Limitations

(a) Coverage of all proceedings in open court is permitted unless prohibited by rule or statute. Camera coverage must be conducted in conformity with applicable statutes and rules.

(b) There shall be no audio pickup or broadcast of conferences between attorneys and their clients, between co-counsel, or among members of the panel.

3. Equipment and Personnel

(a) Only two television cameras, with one operator per camera, and one still photographer will be permitted in the courtroom. The Clerk of Court, or designee, shall identify the location in the courtroom for the camera equipment and operators.

(b) Equipment shall not produce distracting sound or light. Signal lights or devices to show when equipment is operating shall not be visible. Motorized drives, moving lights, flash attachments, or sudden light changes shall not be used. Still cameras that do not operate quietly will not be used at any time when court is in session.

(c) Except as otherwise approved by the Clerk of Court or designee, existing courtroom sound and light systems shall be used without modification. Audio pickup for all media purposes shall be accomplished from existing audio systems present in the court facility, or from a television camera's built-in microphone. If no technically suitable audio system exists in the court facility, microphones and related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance by the Clerk or designee.

(d) All equipment must be set up prior to the opening of the court session and may not be removed until after the conclusion of the court sessions, or during a court recess. Camera operators shall wear suitable attire in the courtroom.

(e) Media personnel shall also adhere to the direction of the Clerk of Court or designee in such matters as security, parking, noise avoidance, and other related issues.

(f) Media personnel may not interview participants in the courtroom until the conclusion of the court session, and the judges have left the bench. The court may, where space is available, make available a separate room where news reporters and photographers may conduct their business with the consent of persons willing to participate in such interviews.

4. News Media Pooling

(a) Camera coverage will be permitted by any person or entity regularly engaged in the gathering and dissemination of news. If coverage is sought by more than one person or entity, a pool system must be used. Each media representative must submit an application on behalf of its organization.

(b) It will be the responsibility of the news media to agree upon a pooling arrangement for their respective news medium. Such pooling arrangements shall include the designation of pool operators, procedures for pool sharing, access to and dissemination of material, and selection of a pool representative if appropriate.

(c) The court may not be called upon to mediate or resolve any dispute as to such arrangements. The Clerk of Court shall be notified of any pooling arrangements at least 24 hours prior to the court proceeding.

5. Educational Institutions

The Court may also authorize the coverage of court proceedings and access to pooled coverage by educational institutions.

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

_____)

Appellant,) APPLICATION FOR PERMISSION
) TO PHOTOGRAPH, RECORD, OR
) BROADCAST FROM THE COURTROOM

v.)

) Court of Appeals Docket No.

_____)
)

Appellee.)

_____)

TO THE COURT:

The undersigned hereby applies for permission to photograph, record or broadcast the above judicial proceeding.

1. Permission is requested to cover the following (check all that apply):

_____oral argument _____other (specify)

2. The proceedings are expected to be (check all that apply):

___ televised live ___ radio (broadcast live)

___ videotaped for later broadcast ___ audio-recorded for later broadcast

___ photographed with still camera ___ other (specify)

3. The scope of coverage requested is (check as appropriate):

___ throughout entire proceeding
___ during the following portion(s) of proceeding (specify):

4. Date of coverage: _____

APPLICANT INFORMATION

Name: (Print) _____ Phone: _____

Media Organization: _____

Business Address: _____

Signature: _____ Date: _____

[This form must be submitted to Clerk of Court, at least three (3) business days before the date of requested coverage. Please fax to (415) 355-8551. Thank you.]